

Good Faith Efforts Guidance

Samples and Helpful Hints



**San Bernardino
Associated Governments**

Good Faith Efforts Guidance

INTRODUCTION

It is the policy of the San Bernardino Associated Governments (SANBAG) to utilize Disadvantaged Business Enterprises (DBEs) and Underutilized Disadvantaged Business Enterprises (UDBEs) in all of our federally funded procurements. To this end, SANBAG must comply with 49 Code of Federal Regulations (CFR), Part 26. The objectives include, but are not limited to, achieving the following:

- Ensure nondiscrimination in the award and administration of Department of Transportation (DOT) assisted contracts in highway, transit, and airport financial assistance programs
- Create a level playing field on which DBEs can compete fairly
- Ensure DBE Program is narrowly tailored in accordance with law
- Ensure only firms that fully meet the eligibility standards are permitted to participate as DBEs (certified under the California Uniform Certification Program or other qualified program)
- Remove barriers to the participation of DBEs in DOT-assisted contracts

Whenever SANBAG issues a solicitation that is funded in whole or in part with DOT dollars, it must determine whether a contract goal can be established. The goal must be established based on demonstrable evidence of the availability of ready, willing, and able DBEs relative to all businesses ready, willing, and able to participate. SANBAG may receive Federal funds as a direct **recipient** from DOT, usually from the FTA and must determine whether a DBE Contract goal should be established for the contract. SANBAG may also receive Federal funds as a **sub-recipient**, usually from the California Department of Transportation (Caltrans). Currently, whenever SANBAG receives funds as a sub-recipient from Caltrans, it must determine whether a Underutilized Disadvantaged Business Enterprise (UDBE) Contract Goal should be established for the contract. Caltrans has established the UDBE category as a subset of the DBE category. The UDBE category includes businesses owned and controlled by the following socially and economically disadvantaged individuals:

- Black American
- Native American
- Asian-Pacific American
- Women

The following two categories are not included as part of the UDBE group but are included in the DBE group:

- Hispanic Male Americans
- Subcontinent-Asian Male Americans

Good Faith Efforts Guidance

All six (6) groups make up the DBE category and only the first 4 groups are part of the UDBE category.

If SANBAG, as a recipient or sub-recipient, establishes a contract goal, a Proposer/Bidder must meet the goal specified or demonstrate Good Faith Effort (GFE) in their attempt to meet the goal. The Proposer/Bidder can meet the GFE requirement in either of two ways:

- Proposer/Bidder can meet the goal and document commitments for participation by certified DBE firms, or
- Even if the goal is not met, the Proposer/Bidder can document adequate GFE.

To demonstrate GFE, the Proposer/Bidder must show that it took all necessary and reasonable steps to achieve the DBE goal. SANBAG has prepared this “Good Faith Efforts Guidance - Sample and Helpful Hints” handout to assist contractors and consultants in understanding Good Faith Efforts.

- Updates will be published periodically on the SANBAG website at:
<http://www.sanbag.ca.gov/about/rfp/GoodFaithEffort.zip>.

Definitions:

DBE – DBEs are for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations.

African Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals can also qualify as socially and economically disadvantaged on a case-by-case basis.

UDBE – A terminology used by the Caltrans to identify those DBE firms that are underutilized in public contracts and are afforded remedies such as contract-specific UDBE utilization goals. UDBE goals may be imposed on all federal highway-aid contracts, including those administered by a local agency. Current DBE firms whose owners are members of one of the following groups are automatically determined to be an UDBE: African American, Asian-Pacific American, Native American, Women. (Please note there is no separate certification process or certificate for UDBEs aside from the DBE program)

Good Faith Efforts Guidance

OVERVIEW

- A Proposer/Bidder must submit their GFE with the proposal or bid unless otherwise indicated by the Request for Proposal (RFP) or Invitation to Bid (IFB).
- Note: For Public Works Construction projects, GFE documentation can be submitted within four (4) SANBAG working days after the day bids are received (only one copy should be submitted, bound separately, and clearly labeled as a “GFE package for *Project Name*”).
- The person in your firm who will be responsible for putting together the GFE package may call or e-mail SANBAG department reviewing GFE documentation with any questions they may have within the questioning time period for the respective RFP.
- Each GFE indicator is graded on a pass/fail basis.
- Nothing set forth in this guide supersedes the information stated in the RFP or IFB.
- Although the entity submitting the bid/proposal may choose to pay a third party to perform their initial GFE (ad, letters, first follow-up call), listing the third party for any project work would be considered a conflict of interest and may invalidate the GFE.

CERTIFICATION

To verify certification for a firm, please use the link provided for the California Unified Certification Program (CUCP) under the Caltrans listing.

CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)

Civil Rights MS 79

1823 14th Street

Sacramento, CA 95814

Phone: (916) 324-1700 or (866) 810-6346

Fax: (916) 324-1862

Website: www.caltrans.ca.gov

CUCP: www.dot.ca.gov/hq/bep/find_certified.htm

CITY OF LOS ANGELES

Office of Contract Compliance

Centralized Certification

1149 S. Broadway Street, Suite 300

Los Angeles, CA 90015

Phone: (213) 847-6480

Fax: (213) 847-5566

Website: www.bca.lacity.org

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (METRO)

Diversity and Economic Opportunity Department

One Gateway Plaza

Los Angeles, CA 90012

Phone: (213) 922-2600

Fax: (213) 922-7660

Website: www.mta.net

If you have questions regarding certification or the certification process, please feel free to contact SANBAG.

GOOD FAITH EFFORT MECHANISMS*

The following Good Faith Effort mechanisms, developed based on the requirements of the Code of Federal Regulations Title 49 Part 26 Appendix A, have been established to assist contractors and consultants in meeting the established contract goals. Following the table are descriptions of the type of efforts recommended for each item.

Item #	Mechanism Description
1.	Attendance at Pre-Bid or Pre-Bid/proposal Meeting
2.	Work identified for UDBE Subcontractors <ul style="list-style-type: none">• Demonstrate that sufficient work identified for UDBE subcontractors
3.	Advertisement of Opportunity: <ul style="list-style-type: none">• Names & Dates of all Advertisements• Copies or Proofs of Publication• Solicited with sufficient time to allow response to IFB/RFP/Solicitation
4.	Written Notices to UDBE Subcontractors <ul style="list-style-type: none">• List of all certified UDBEs solicited• Copies of letters sent• Documentation of follow-up performed
5.	List of rejected UDBE firms and reasons for rejection <ul style="list-style-type: none">• Include name, address and telephone number(s)• Include price/quote if selected contractor is not UDBE firm
6.	List of efforts made to interested UDBEs in obtaining bonds, lines of credit, or insurance
7.	List any efforts made to assist interested UDBEs in obtaining necessary equipment, supplies, materials, or related assistance or services
8.	List the minority/women agencies, organizations or groups contacted to provide assistance in contracting, reporting and using UDBE firms
9.	Negotiating in Good Faith with UDBE firms

**Definition: A process by which something is done.*

Good Faith Efforts Guidance

No. 1 – PRE-BID or PRE-PROPOSAL MEETING **(Proposers Conference)**

- Be on time and attend entire meeting.
- Sign attendance sheet.
- Include a copy of the attendance sheet in your GFE documentation.
(You can download and print a copy from the contract opportunity listing on the SANBAG website at: <http://www.sanbag.ca.gov/about/contracting.html>.)

No. 2 - WORK IDENTIFIED FOR UDBES

- Work areas are selected by identifying specific items of the project for which the Proposer/Bidder will outreach to and solicit subcontractors, sub-consultants, or vendors.
- Work areas must be listed either in advertisements or letters to potential subcontractors, sub-consultants, or vendors.
- Any work that you (as the Proposer/Bidder) cannot complete **should** be listed as a work area.
- If as the Proposer/Bidder you are able to complete all the work areas yourself, you have the option to:
 - Identify work areas that are potential areas to subcontract even though you are capable of doing these areas yourself.
 - Perform an outreach to the suppliers which are specific to the project.
- Remember that **ALL** work areas that you propose utilizing a subcontractor, sub-consultant, or vendor **MUST** be represented in your GFE.
 - Even if you have had a previous relationship with a subcontractor, sub-consultant, or vendor, you still must list their relevant work area.

No. 3 - ADVERTISEMENT

Advertisement must be **PUBLISHED** not less than 10 calendar days prior to the Proposal or Bid due date in a *reputable source*, and a *proof of publication affidavit* must be submitted with your GFE documentation. Careful consideration should be given to the wording of the ad, which should mention the DBE/UDBE opportunity. A Sample Advertisement is listed on page 9 of this document.

Good Faith Efforts Guidance

- Timeliness of Publication:
 - It is your responsibility to ensure that the advertisement is published on time, and that the wording is correct.
 - It is recommended that multiple publications be used with a minimum of a one day ad placed in each.
- Definition of a Reputable Publication:
 - Not a free publication.
 - Not an online publication.
- Text of Advertisement:
 - SANBAG project name
 - Your firm's name
 - Areas of work to be subcontracted/supplied
 - Contact person's name, address, and telephone number
 - Detailed information on availability of plans and specifications
 - Your firm's policy concerning assistance in obtaining bonds, lines of credit, and insurance
 - Is your policy (bonds, lines of credit, insurance) limiting?
 - must be addressed to Certified UDBE
 - The responding firms should be able to respond to your advertisement prior to the bid/proposal due date.
- Proof of Publication:
 - Submit the publication affidavit which must include a full page, legible copy, of the advertisement. This document is supplied by the publisher and usually accompanies the invoice.
 - A cutout of the header along with your advertisement is not acceptable.
 - If using an online publication in addition to newspaper ads, please include information regarding the site.
- Location of Advertisements:
 - When publishing in newspapers, the Advertisement should be in the Bids Wanted, Legal Notices section of the Classified Ads, Subcontracting Opportunities or Business Opportunities not the Employment Opportunities Section.
 - When publishing online in conjunction with a print ad, the Advertisement should be in the Outreach Ads section.

Good Faith Efforts Guidance

SAMPLE OF ADVERTISEMENT

Requesting Sub-bids from Qualified & Certified UDBEs

Subcontractors/Vendors for: *(List specific work items that you are interested in subcontracting. It is important to break out as much detail as possible)*

Project Name:

Owner: SANBAG

Bid/proposal Due Date & Time:

For information on the availability of plans and specifications and the Proposer/Bidder's policy concerning assistance to subcontractors in obtaining bonds, lines of credit, and/or insurance, please contact our office.

Proposer/Bidders Name

Address

Telephone Number and Fax Number

Good Faith Efforts Guidance

LIST OF PUBLICATIONS

The following publications are a partial list of the sources available in Southern California for DBE/UDBE outreach. SANBAG does not recommend or endorse any publication. The list is not an all- inclusive list of acceptable publications. If you would like to use other publications, it is recommended that you contact staff of the SANBAG department that will be reviewing GFE documentation to confirm the acceptability of the publication prior to placing your advertisement.

General Construction Print and Online Publications

<u>Dodge Report</u> <u>Dodge Construction News (Green Sheet)</u> <u>Dodge Project Center</u> McGraw-Hill Construction/Dodge 148 Princeton Heightstown Rd. N-1 Heightstown, N.J. 08520 PHONE: 888-814-0513 FAX: 888-478-7703 EMAIL: MHC_Official_Bids@McGraw-Hill.com www.construction.com	<u>Reed Connect</u> <u>Reed Bulletin</u> Reed Construction Data 30 Technology Pkwy S., Ste. 100 Norcross, GA 30092 PHONE: 770-209-3552 FAX: 678-680-0214 www.reedbulletin.com www.reedconstructiondata.com
<u>Daily Construction Reporter</u> Associated General Contractors of America 6212 Ferris Square San Diego, CA 92121 PHONE: 858-874-8560 FAX: 858-874-8569 www.agcsd.org	<u>Construction Bidboard, Inc.</u> 4420 Hotel Circle Court #215 San Diego, CA 92108 PHONE: 800-479-5314 FAX: 619-688-0585 www.ebidboard.com

Good Faith Efforts Guidance

Newspapers – Classified Ads

<u>San Bernardino Sun</u> 4030 N. Georgia Blvd. San Bernardino, CA 92407 PHONE: 909-386-3956 www.sbsun.com	<u>Press Enterprise</u> 3450 Fourteenth Street Riverside, CA 92501 PHONE: 800-514-7253 www.pe.com
<u>Inland Valley Daily Bulletin</u> 2041 E. Fourth Street Ontario, CA 91764 909-483-9385 www.dailybulletin.com	<u>Victor Valley Daily Press</u> 13891 Park Avenue Victorville, CA 92392 PHONE: 760-241-7744 www.vvdailypress.com
<u>La Prensa</u> (Inland Empire Weekly/Spanish Language) 3450 Fourteenth Street Riverside, CA 92501 PHONE: 951-368-9673 www.laprensa.com	<u>Los Angeles Times</u> 202 W. 1st St. Los Angeles, CA 90012 PHONE: 213-237-5000 X2 www.latimes.com
<u>Los Angeles Business Journal</u> 5700 Wilshire Boulevard, Suite 170, Los Angeles, CA 90036 PHONE: 323-549-5225 X215 www.labusinessjournal.com	<u>Daily Journal</u> 915 East 1 st Street Los Angeles, CA 90012 PHONE: 800-788-7840 www.dailyjournal.com
<u>Daily News</u> P.O. Box 4200 Woodland Hills, CA 91365 PHONE: 818-713-3376 www.dailynews.com	<u>La Opinion</u> 700 Flower St., Ste 300 Los Angeles, CA 90017 Contact: Yolanda Treto PHONE: 213-896-2260 www.laopinion.com

Good Faith Efforts Guidance

DBE Print and Online Publications

<u>Compliance News</u> 11 South Termino Avenue, Ste. #214 Long Beach, CA 90803 PHONE: 800-599-6996 www.compliancenews.com	<u>DBE Goodfaith</u> P.O. Box 521 Newark, CA 94560 PHONE: 877-802-3394 www.dbegoodfaith.com
<u>Minority Proposer/Bidders Bulletin & Construction Update</u> 16885 W. Bernardo Dr. # 335 San Diego, CA 92127 Contact: Jim Wiegele PHONE: 858-487-2600 FAX: 858-487-3500 www.goodfaitheffort.com	<u>Small Business Exchange</u> 703 Market St., Ste.1000 San Francisco, CA 94113 Contact: Gerald Johnson PHONE; 415-778-6250 FAX: 415-778-6255 www.sbeinc.com
<u>W/M/S/DVBE Contract & Construction News & Thomas Bid Register</u> P.O. Box 2066 Colton, CA 92324 PHONE: 800-570-7070	<u>Construction Bid Source</u> P.O. Box 568 Burson, CA 95225 PHONE: 800-962-4162 www.constructionbidsource.com

Other Resources

California Department of Transportation 1823 14 th Street Sacramento, CA 95811 PHONE: 866-810-6346 EMAIL: smallbusinessadvocate@dot.ca.gov
<u>CA Department of General Services</u> <u>Small Business & Disabled Veteran Business Enterprises Services</u> 707 Third Street West Sacramento, CA 95606 PHONE: 916-375-4400 Referral Organizations: http://www.documents.dgs.ca.gov/pd/smallbus/RefOrg.pdf

Good Faith Efforts Guidance

No. 4 – WRITTEN NOTICES TO UDBES

- Letters must be sent to available UDBEs, for *each work area* listed, not less than 10 calendar days prior to the bid/proposal due date.
 - Letters must be sent to an adequate number of UDBE firms to reasonably expect to meet the UDBE contract goal for each of the work areas listed. Consideration of the amount of firms available for each work area is also a factor for achieving an adequate GFE review.
 - Use the CUCP website to identify and contact DBEs. Remember that UDBEs (Black Americans, Native Americans, Asian-Pacific Americans, and Women firms) are only a designation and these firms will be certified as DBEs and not UDBEs.
 - If you have difficulty locating UDBEs for any of your work areas, contact SANBAG for assistance.
 - Letters must also be sent to those firms with whom you have had a previous working relationship and believe you may want to use on this contract.
 - In good faith, you should send letters to all available UDBE firms who may have an interest in bidding in the same specified work areas as the subcontractors or vendors with whom you have had a previous working relationship.
- Letters should contain at a minimum:
 - SANBAG project name
 - Bid due date/time
 - Specified work areas
 - Your company's name
 - Contact person's name, address and telephone number
 - Detailed information on availability of plans and specifications
 - Proposer/Bidder's policy concerning assistance in obtaining bonds, lines of credit and insurance.
- To meet the GFE requirements you must:
 - Send the letters on time (not less than 10 calendar days before bids are due)
 - Include all requirements in the letter's language
 - Submit copies of each of the letters sent or one master notification including a listing of each firm sent the letter, AND
 - ~ If emailed: copies of the sent and received emails with date and time sent or received.
 - ~ If faxed: copies of the fax transmittal confirmation sheet(s). No credit for error messages, busy, cancelled, etc.
 - ~ If mailed: copies of the metered envelopes or certified mail receipts.

Good Faith Efforts Guidance

SAMPLE WRITTEN NOTICE

Bolder Corporation
1234 Granite Avenue, Suite 800 San Bernardino, CA 92410

March 5, 2011

Attn: Estimator
Subconsultants, Inc.
468 Los Feliz Blvd.
Los Angeles, CA 90014

Re: Request for Sub Bids

To Whom It May Concern:

Bolder Corporation is a consulting firm responding to the Request for Proposals (RFP) for the project listed below:

Project: (Insert Project Title)
Proposal Due Date: (Insert RFP Due Date)

We are seeking sub-bids from UDBE subcontractors/subconsultants, and material and/or equipment suppliers in the areas of work included in, but not limited to, those listed below:

(List specified work areas here)

Bolder Corporation encourages all interested UDBE companies to contact us at least 5 days prior to the proposal due date to review with us your proposed scope of work.

The plans, specifications, and copies of the bid proposal are available for review at our office at 1170 W. Third Street, 2nd Floor, San Bernardino, CA 92410; Monday through Friday, 8:00 am to 5:00 pm.

We are willing to assist all UDBE subcontractors/suppliers in obtaining bonds, lines of credit, and/or insurance.

If you are interested in participating in this project, please contact Jane Doe at (909) 123-4567.

Sincerely,

Jane Doe
Project Manager

Good Faith Efforts Guidance

SAMPLE FAX TRANSMITTAL CONFIRMATION

p.1

** Transmit Conf. Report **

March 15, 2011 10:11

Fax/Phone Number	Mode	Start	Time	Page	Result
92133451245	NORMAL	15,10:11	0' 36"	1	*OK

Bolder Corporation
1234 Granite Avenue, Suite 800 San Bernardino, CA 92410

March 5, 2011

Attn: Estimator
Subconsultants, Inc.
468 Los Feliz Blvd.
Los Angeles, CA 90014

Re: Request for Sub Bids

To Whom It May Concern:

Bolder Corporation is a construction firm bidding on the project listed below:

Project: (Insert Project Title)
Bid Due Date: (Insert Bid Date)

We are seeking sub-bids from UDBE subcontractors, and material and/or equipment suppliers in the areas of work included in, but not limited to, those listed below:

(List specified work areas here)

Bolder Corporation encourages all interested UDBE companies to contact us at least 1 day prior to the bid due date to review with us your proposed scope of work.

The plans, specifications, and copies of the bid proposal are available for review at our office at 1170 W. Third Street, 2nd Floor, San Bernardino, CA 92410; Monday through Friday, 8:00 am to 5:00 pm.

We are willing to assist all UDBE subcontractors/suppliers in obtaining bonds, lines of credit, and/or insurance.

If you are interested in participating in this project, please contact Jane Doe at (909) 123-4567.

Sincerely,

Jane Doe
Project Manager

Good Faith Efforts Guidance

SAMPLE METERED ENVELOPE

Your Company Name
Street/P.O. Address
City, State, Zip Code

Metered Stamp Here

Potential Subcontractor/Vendor
Street/P.O. Address
City, State, Zip Code

Good Faith Efforts Guidance

FOLLOW UP DOCUMENTATION

- The bidder/proposer must document all efforts to follow up the initial solicitations made by contacting ALL subcontractors/vendors to whom you sent letters. SANBAG recommends allowing sufficient time for a response prior to the bid/proposal due date. The follow-up documentation will be submitted with Exhibit 15-H if your bid/proposal does not meet the recommended UDBE goal.
- Telephone calls should be made *after the letters have been sent and before the deadline*. It is important that your firm develop a telephone log that includes the following information:
 - Project name
 - Name of person placing call
 - Name of company called
 - Contact person's name
 - Date of call
 - Time of call
 - Results of conversation
- Follow up contact must be made at least once with all subcontractors/vendors with whom your staff left messages.
- Things that will be considered:
 - Were the calls made during the lunch hour or too late in the work day?
 - Did your staff make a second follow up call with all companies with whom messages were left?
 - Review the result of the conversation. If a subcontractor/supplier had offered to provide a quote but does not, follow up is required.
 - Did your firm attempt other forms of contact as follow up to the initial contact?

Guidance Concerning Good Faith Efforts

SAMPLE TELEPHONE LOG

(INSERT YOUR COMPANY NAME)

Telephone Log								
Project Title:								
Name of Person Placing the Calls:								
Work Area:								
Date	Time	Company Name	Phone #	Contact Person	Please Select One			Result(s) of Conversation
					UDBE	DBE	Other	

ATTACH ADDITIONAL SHEETS AS NECESSARY.

Guidance Concerning Good Faith Efforts

No. 5 – LIST OF REJECTED FIRMS

You must provide a list of all UDBE firms that were rejected, including the following information:

- Project name
- UDBE firm name
- UDBE firm address
- UDBE firm phone number
- Total price/quote
- Reason for rejection

Guidance Concerning Good Faith Efforts

SAMPLE REJECTED UDBE LIST

Project Name: Hwy 100 Landscaping				
Work Area #1: Demolition				
UDBE Firm Name	Address	Phone #	Price/ Quote	Reason for Rejection
XYZ Demo Co.	123 Main Street My City, CA 91234	949-555-1234	\$15,000.00	Incomplete bid. Only contained ½ of items required
Blue Company	987 Oak Avenue My City, CA 98765	619-555-8819	\$27,000.00	Bid too high. \$9,000 more than selected Proposer/Bidder
Work Area #2: Landscaping				
UDBE Firm Name	Address	Phone #	Price/ Quote	Reason for Rejection
Landscape, Inc.	555 Forest Lane My City, CA 98888	415-555-7917	\$42,800.00	Lowest bid, but did not include backflow preventer
Ed's Sprinkler & Landscape	172 Front Street My City, CA 91212	303-555-1234	\$66,118.00	Bid too high. \$22,000 more than selected Proposer/Bidder
Work Area #3: Electrical				
UDBE Firm Name	Address	Phone #	Price/ Quote	Reason for Rejection
ABC Electric	493 Clark Avenue My City, CA 91991	619-555-1777	\$4,800.00	Incomplete bid. Did not include all required items

Guidance Concerning Good Faith Efforts

No. 6 – LIST OF EFFORTS: Bonds, lines of credit, insurance

List any efforts to assist UDBE firms with obtaining bonds, lines of credit or insurance.

Required documentation: include in (Advertisement) and (written notice to Subcontractors) information about the Proposer/Bidders assistance in obtaining bonds, lines of credit and insurance.

See Sample Advertisement and Sample letter.

No. 7 – LIST OF EFFORTS: Equipment, supplies, materials

If efforts to assist UDBE firms with obtaining necessary equipment, supplies, materials, or related assistance or services, list these efforts as part of your good faith effort.

This is not required to be included in advertisements or letters to UDBEs; however, please include these additional efforts in Exhibit 15-H, Section “F”. This document is included as an attachment to the Contract provided with the IFB/RFP. It can also be found on the Caltrans website at: <http://www.dot.ca.gov/hq/LocalPrograms/lam/forms/acrobat/LAPM15H.pdf>.

No. 8 – ORGANIZATION OUTREACH

- Letters must be sent to outreach agencies, not less than *10 calendar days prior* to the bid due date, requesting assistance in recruiting UDBEs.
- Letters should be sent to all the listed organizations and must contain:
 - The specified work areas
 - SANBAG project name
 - Bid due date/time
 - The Proposer/Bidder’s name
 - Contact person’s name
 - Contact person’s address
 - Contact person’s telephone number
- To meet GFE requirements, you must:
 - Include language stating a recruitment of UDBEs
 - Include the specified work areas

Good Faith Efforts Guidance

- Send letters with adequate time
- Submit copies of the letters sent or one master notification -
 - ~ If emailed: copies of the sent and received emails with date and time sent or received.
 - ~ If faxed: copies of the fax transmittal confirmation sheet(s). No credit for error messages, busy, cancelled, etc.
 - ~ If mailed: copies of the metered envelopes or certified mail receipts.

Good Faith Efforts Guidance

Good Faith Efforts

OUTREACH ORGANIZATIONS OF THE INLAND EMPIRE

Inland Empire Small Business Development Center (SBDC) 201-A North E Street P.O. Box 1785 San Bernardino, CA 92401 Phone: (909)-888-9011 Fax: (909) 888-9074 Email: rusher@iesmallbusiness.com Web: www.iesmallbusiness.com	Inland Empire Small Business Development Center – High Desert Office 15490 Civic Drive, Suite 102 Victorville, CA 92392 Phone: (760) 951-1592 Fax: (760) 951-8929 Email: kgerke@iesmallbusiness.com Web: www.iesmallbusiness.com/
So. Cal. Black Chamber of Commerce 1000 West 4th Street, Suite 339 Ontario, CA 91762 Phone: (909) 969-5274 Fax: Email: info@blackchamberofcommerce.org Web: www.blackchamberofcommerce.org/	Inland Empire Women’s Business Center 202 E. Airport Drive, Suite 100 San Bernardino, CA 92408 Phone: (909) 890-1242 Fax: (909) 890-1538 Email: ?
Black Contractors Association of the Inland Empire 335 N Riverside Ave Rialto, CA 92376 Phone: (909) 874-9494 Email: ? Web: ?	Inland Empire Hispanic Chamber of Commerce 255 N. D St. #217 San Bernardino, CA 92401 Phone: (909) 888-2188 Fax: (909) 888-1151 Email: ie_chamber@eee.org Web: www.eee.org/
Black Contractors Association of San Diego 6125 Imperial Avenue San Diego, CA 92114 Phone: (619) 263-9791 Fax: (619) 263-6865 Email: nationalbca@aol.com Web: www.bcasd.org/	FOR DBE/UDBE CERTIFICATION: LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (METRO) Diversity and Economic Opportunity Dept. One Gateway Plaza Los Angeles, CA 90012 Phone: (213) 922-2600 Fax: (213) 922-7660 Web: www.mta.net/

Revised 06-15-11

Good Faith Efforts Guidance

SAMPLE ORGANIZATION LETTER

Bolder Corporation
1234 Granite Avenue, Suite 800 San Bernardino, CA 92410

March 5, 2011

Inland Empire Small Business Development Center
201-A North E Street
P.O. Box 1785
San Bernardino, CA 92401

Re: Requesting assistance in obtaining qualified and certified UDBE subcontractors/vendors

Dear Ms. Smith:

Bolder Corporation is a construction firm bidding on the project listed below:

Project: (Insert Project Title)
Bid Due Date: (Insert Bid Date)

We are seeking your assistance in recruiting qualified and certified UDBE subcontractors, and material and/or equipment suppliers in the areas of work included in, but not limited to, those listed below:

(List specified work areas here)

Please forward any information you may have regarding any certified UDBE firms that might be interested in working on this project to our office via FAX at: (909) 123-4567. Please contact Jane Doe for any information or questions.

Sincerely,

Jane Doe
Project Manager

Good Faith Efforts Guidance

No. 9 – GOOD FAITH NEGOTIATING

- All quotes received must be submitted with the GFE documentation:
 - A Summary Sheet (see sample below) shall be submitted showing all subcontractors submitting quotes, proposals, or bids. The Summary Sheet should include the reason for selecting or rejecting subcontractor.
 - Include all bids for areas of work that were not indicated in the outreach.
 - Include all quotes from both certified and non-certified subcontractors and suppliers (SBEs, DBEs, UDBEs, Others)
 - Subcontractor bid dollar amounts MUST match bid-listed dollar amounts, including on the Summary Sheet.
 - All dollar amounts and scopes of work on the subcontractor bid must not be altered by the prime Proposer/Bidder. If a revision is necessary, a revised quote from the subcontractor must be obtained.
 - All verbal quotes received MUST be substantiated by a corresponding hard quote from the subcontractor/vendor and submitted WITH the GFE documentation.
- All bid-listed subcontractors/vendors must be represented in the GFE documentation.
 - If they were not sent a letter, please detail in the comments section of the summary sheet how these subcontractors/vendors came to submit a bid.
- To document GFE, you must:
 - Submit all quotes received as well as any revised and follow-up hard quotes where necessary.
 - Submit a detailed Summary Sheet which includes a breakdown of the subcontractors/vendors who responded and their corresponding work areas, listing the quoted amounts, the selected subcontractor/vendor, and the reasons for the selection and non-selection.

Some considerations:

- If you decide to self-perform a specified work area, you must show that your price is competitive to that of the subcontractors who responded to your outreach.
- You are NOT required to select any subcontractor/vendor based solely on their certification status. Your decision to select a subcontractor should be based on the subcontractor's bid amount and/or qualifications.

Good Faith Efforts Guidance

- Although you may not be required to bid list all the selected subcontractors/vendors, you must indicate a selection for each work area ON THE SUMMARY SHEET. This must include any self-performed areas.

Guidance Concerning Good Faith Efforts

SAMPLE SUMMARY SHEET

List all subcontractors submitting quotes, proposals, or bids

Project Name:						
Work Area #1: Demolition						
Company Name	Sent Letter Y/N	Qty.	Unit Price	Total/Base Bid	Selected Y/N	Reason for selection or no selection
ABC Demo Co.	Y		\$	\$19,000.00	Y	Selected/Lowest Most Complete Bid
XYZ Demo Co.	Y		\$	\$15,000.00	N	Did not select/Excludes_____
Blue Company	Y		\$	\$21,000.00	N	Did not select/Complete, but bid too high
			\$			
			\$			
Work Area #2: Landscaping						
Company Name	Sent Letter Y/N	Qty.	Unit Price	Total/Base Bid	Selected Y/N	Reason for selection or no selection
Mary's Landscaping	Y		\$	\$49,124.00	Y	Selected/Lowest price and included backflow preventer

Good Faith Efforts Guidance

Landscape, Inc.	Y		\$	\$42,800.00	N	Did not select/Although lowest bid, did not include backflow preventer	
Ed's Sprinkler & Landscape	Y		\$	\$66,118.00	N	Did not select/Bid too high	
	Y		\$				
	Y		\$				
	Y		\$				
Work Area #3: Electrical							
Company Name	Sent Letter Y/N	Qty.	Unit Price	Total/Base Bid	Selected Y/N	Reason for selection or no selection	
			\$	\$			
			\$	\$			
			\$	\$			
			\$	\$			
			\$	\$			

Good Faith Efforts Guidance

Bond, Credit, and Insurance Assistance

The Proposer/Bidders documented efforts to advise and assist UDBE's on obtaining lines of bonds, lines of credit, and insurance required by the awarding authority or Proposer/Bidder. Required documentation: include in (Advertisement) and (written notice to Subcontractors) information about the Proposer/Bidders assistance in obtaining bonds, lines of credit and insurance. Sample wording is highlighted in the sample advertisement and written notice to Subcontractors.

Good Faith Efforts Guidance